

**DIVISION OF ENVIRONMENTAL HEALTH
SOLID WASTE PROGRAM
555 CORDOVA STREET
ANCHORAGE, AK 99501
<http://www.state.ak.us/dec/deh>**

**Telephone: (907) 269-7590
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April 30, 2002

CERTIFIED MAIL
7099 3400 0016 8435 5295

Ms. Catherine Mayer
Kenai Peninsula Borough
144 N. Binkley
Soldotna, Alaska 99669-7599

RE: Solid Waste Disposal Permit, Seward Inert Waste Monofill
Permit No. 0223-BA002

Dear Ms Mayer:

The Department of Environmental Conservation (ADEC) has completed its evaluation of your request for renewal of your solid waste disposal permit for the Seward Inert Waste Monofill. The Department issues permit 0223-BA002 in accordance with AS 46, 18 AAC 15, and 18 AAC 60. Please review the conditions and stipulations in the permit and ensure people who conduct waste disposal operations understand them. This permit is effective upon issuance and expires **April 30, 2007**.

Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.200-310. Hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 555 Cordova, Anchorage, Alaska 99501, within 30 days of receipt of this letter. If a hearing is not requested within 30 days, the right to appeal is waived. Even if an adjudicatory hearing has been requested and granted, all permit conditions remain in full force and effect.

Sincerely,

Leslie F. Simmons
Solid Waste Program Coordinator
Southcentral and Western Alaska

Enclosure: Permit # 0223-BA002

APPENDIX A - SPECIFIC CONDITIONS

I. APPLICATION COMPLIANCE

The following documents are incorporated as part of the permit:

- A. March 8, 2002 Application for Permit Renewal Package.
- B. November 4, 1996 Monofill Permit Application.

If anything in the aforementioned documents conflict with requirements of Appendix A, Appendix C, or State laws, then the requirements of Appendix A, Appendix C and State laws take precedence.

II. SITE PREPARATION

The permittee shall install and maintain a facility entrance sign that identifies:

Facility Name
Owner/Operator Name
Hours of Operation
Emergency Phone Numbers

III. SITE OPERATION

The permittee shall:

- A. Prevent people from discharging firearms within the facility.
- B. Promptly clean up spills of non-hazardous liquids by mixing them with soil or other absorbent materials. Place the debris in the active portion of the landfill.
- C. Report to the Department hazardous substance spills and other incidents, such as hazardous materials delivered to the site or improperly bagged asbestos left on site.
- D. Consolidate and compact all loose waste and cover with a minimum of one foot of compacted soil at least once a month. The frequency of cover may be increased if the Department determines it necessary to reduce nuisances, animal attraction, blowing litter or other problems associated with uncovered solid waste.
- E. Ensure that no surface on the landfill is sloped steeper than 3 horizontal to 1 vertical.

- F. Maintain permanent boundary location markers so that the waste cell(s) location can be determined.
- G. Maintain a minimum horizontal separation distance of 100 feet from the boundaries of a disposal cell to any surface water body or private drinking water well, and 200 feet to any public drinking water well.
- H. Maintain a minimum four (4) foot separation distance between the bottom of the disposal cell and the seasonal high groundwater level.
- I. Prohibit burning of putrescible waste, animal carcasses, petroleum-contaminated products, plastics, rubber products, or any substances that may result in the emission of black smoke.
- J. Prohibit all open burning at the active cell's working face and extinguish any fires immediately upon discovery.
- K. Prohibit disposal of: municipal solid waste, liquid waste, septage or sewage sludge, oily wastes, contaminated soil, regulated asbestos containing material, medical waste, hazardous wastes as defined in 40 CFR 261, pesticides, radioactive materials, lead-acid batteries, and polychlorinated biphenyl fluids.

IV. MONITORING, RECORDKEEPING, AND CORRECTIVE ACTION

The permittee shall:

- A. Once per year, revise drawings of the site to reflect the new shape of the waste body and serve as a basis for future expansion planning.
- B. Keep copies of the permit application, permit, closure and post-closure plans. Check them annually to make sure they are still relevant.
- C. Keep copies of training procedures, visual monitoring checklists, annual inspections, and all water monitoring reports.
- D. Fix any problems discovered during regular monitoring and annual inspections.

APPENDIX C: GENERAL CONDITIONS

I. ACCESS AND INSPECTION

The Permittee shall allow the Commissioner or his representative access to the permitted facilities at reasonable times to conduct scheduled or unscheduled inspections or tests to determine compliance with this permit, State laws, and regulations.

II. INFORMATION ACCESS

Except for information relating to confidential processes or methods of manufacture, all records and reports submitted in accordance with the terms of this permit shall be available for public inspection at the State of Alaska, Department of Environmental Conservation, 555 Cordova Street, Anchorage, AK 99501.

III. CIVIL AND CRIMINAL LIABILITY

Nothing in this permit shall relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, including, but not limited to, accidents, equipment breakdowns, or labor disputes.

IV. AVAILABILITY

The permittee shall post or maintain a copy of this permit available to the public at the disposal facility.

V. ADVERSE IMPACT

The permittee shall take all necessary means to minimize any adverse impacts to the receiving waters or lands resulting from noncompliance with any limitation specified in this permit, including any additional monitoring needed to determine the nature and impact of the noncomplying activity. The permittee shall clean up and restore all areas adversely impacted by the noncompliance.

VI. CULTURAL OR PALEONTOLOGICAL RESOURCES

Should cultural or paleontological resources be discovered as a result of this activity, work which would disturb such resources is to be stopped, and the State Historic Preservation Office, Division of Parks and Outdoor Recreation, Department of Natural Resources, is to be notified immediately (907-269-8721).

VII. APPLICATIONS FOR RENEWAL

In accordance with 18 AAC 15.100(d), applications for renewal or amendment of this permit must be made no later than 30 days before the expiration date of the permit or the planned effective date of the amendment.

VIII. OTHER LEGAL OBLIGATIONS

The requirements, duties, and obligations set forth in this permit are in addition to any requirements, duties, or obligations contained in any permit that the Alaska Department of Environmental Conservation or the U.S. Environmental Protection Agency has issued or may issue to the permittee. This permit does not relieve the permittee from the duty to obtain any and all necessary permits and to comply with the requirements contained in any such permit or with applicable state and federal laws and regulations. All activities conducted by the permittee pursuant to the terms of this permit and all plans implemented by the permittee pursuant to the terms of this permit shall comply with all applicable state and federal laws and regulations.

IX. POLLUTION PREVENTION

In order to prevent and minimize present and future pollution, when making management decisions that affect waste

generation, the permittee shall consider the following order of priority options: waste source reduction; recycling of waste; waste treatment; and waste disposal.